

"Express Mail" Label EL 769991012 US

Date of Deposit April 23, 2001

PATENT

Attorney Docket No.: 015631-007110US

Client Reference No.: DX0818K

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

By:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ERIN E. MURPHY, JEANINE D. MATTSON, ELIZABETH ESTHER MARY BATES, DANIEL M. GORMAN and SERGE J.E. LEBECQUE

Examiner: not assigned

Art Unit: not assigned

COMMUNICATION UNDER

37 C.F.R. § 1.821(e)

Application No.:

Filed: herewith

For: MAMMALIAN GENES;
RELATED REAGENTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is responsive to Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures. Applicants submit that the computer-readable form in the instant application is identical with that filed in parent Application No. 09/351,777, filed July 12, 1999. There is no new matter. In accordance with 37 C.F.R. § 1.821(e), please use the computer-readable form filed in Application No. 09/351,777 as the computer-readable form for the instant application. Of the several versions of the computable readable form, it is the form submitted on March 17, 2000 in response to "Notice to Comply" in the parent application mailed on February 17, 2000 (Paper

ERIN E. MURPHY, JEANINE D. MATTSON,
ELIZABETH ESTHER MARY BATES,
DANIEL M. GORMAN and SERGE J.E.
LEBECQUE

PATENT

Application No.:

Page 2

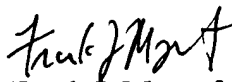
No. 9) which is the correct one. It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for the computer-readable form that will be used for the instant application.

REMARKS

The information contained in the computer readable disk of Application No. 08/646,538 was prepared through the use of the software program "PatentIn".

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Frank J. Mycroft
Reg. No. 46,946

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
FJM
SF 1216096 v1

Express Mail Label No. EL 263 586 565 US

Date of Deposit is July 12, 1999

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box: Patent Application, Washington, D. C. 20231.

By: LE Miller July 12/1999
Lois E. Miller, date

PATENT/SF0818K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Erin E. MURPHY, et al.

Serial No.: not yet assigned

Filed: July 12, 1999

For: MAMMALIAN GENES; RELATED
REAGENTS

Examiner: not assigned

Art Unit: not assigned

COMPUTER READABLE SEQUENCE
SUBMISSION

Palo Alto, California 94304

July 12, 1999 ✓

5

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

10 Sir:

COMPLIANCE WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES

15

In order to comply with requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures, for the above-identified application, in accordance with 37 CFR § 1.821 - 1.825, Applicants hereby
20 submit: (1) a write-protected diskette containing a computer-readable submission for the "Sequence Listing"; and (2) a "Sequence Listing" paper copy of the contents of the diskette.

REMARKS

25

Enclosed is a write protected floppy diskette with the sequence listing generated by the Patent Office's PATENTIN program. The Diskette should comply with the requirements of

37 CFR §1.824 and is IBM PC compatible with a PC-DOS/MS-DOS operating system. If the diskette has been damaged, please call Applicants and a replacement diskette will be provided. A hard paper copy printout of the diskette is attached thereto.

5 I hereby state the informational contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively, are believed to be the same. This submission introduces no new matter, since enclosed sequences are the same as sequences which
10 were submitted in priority documents.

Applicants have invested over ten hours of significant labor and care in preparing the present submission. The enclosed items are a bona fide effort to bring the present application into full compliance with the rules for sequence
15 submissions. Should this not be the case, Applicants respectfully request notification of specific deficiencies and an opportunity for remedy, as described in 37 CFR 1.135(c).

Applicants believe that no fees are required; however, if
20 any fees are required by the present Response, the Commissioner is authorized to charge any fees or credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

Respectfully submitted,

25 Dated: July 12, 1999

By: Edwin P. Ching
Edwin P. Ching
Attorney for Applicants
Reg. No. 34,090

30 enclosures and attachments:
one write-protected diskette (CRM)
paper copy of contents of diskette (27 pages)

35 DNAX Research Institute
901 California Avenue
Palo Alto, California 94304-1104
40 Tel: (650) 852-9196
Fax: (650) 496-1200

For 3 1/2" Disk

Pull Tab to Open



Disk Mailer

From

Express Mail Label No. ET 261 586 565 US
Date of Deposit is July 12, 1999
I hereby certify that this is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to the Assistant
Commissioner for Patents, Box: Patent Application,
Washington, D. C. 20231.

By: Lois E. Miller July 12, 1999
Lois E. Miller, date

PATENT/SF0818K

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Erin E. MURPHY, et al.

Serial No.: not yet assigned

Filed: July 12, 1999

For: MAMMALIAN GENES; RELATED
REAGENTS

Examiner: not assigned

Art Unit: not assigned

COMPUTER READABLE SEQUENCE
SUBMISSION

Palo Alto, California 94304

July 12, 1999 ✓

Assistant Commissioner for Patents
Box: Patent Application
Washington, D.C. 20231

ire

Atty. Docket No.: SF0818K
MAMMALIAN GENES; RELATED
REAGENTS
Erin E. MURPHY, et al.
USSN: To Be Assigned
filed: July 12, 1999
Disk recordation date:
July 8, 1999